

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

Gabino Genao,

Plaintiff,

21-CV-00303 (AT) (VF)

-against-

ORDER

City of New York et al.,

Defendants.

X

VALERIE FIGUEREDO, United States Magistrate Judge:

The Court has reviewed the parties' submissions on the pending Motion for Summary Judgment and requests supplemental briefing from Defendant the City of New York (the "City") by no later than April 28, 2023 that addresses the following issues:

- If the City knows, the City is directed to inform the Court as to what type of fire extinguisher was used in the December 15, 2020 incident (i.e., whether it was a dry chemical fire extinguisher, or some other kind)
- The City is directed to respond to Plaintiff's argument that Defendants were deliberately different to his serious medical needs based on the allegation that Defendants failed to decontaminate Plaintiff and his cell after the use of the fire extinguisher.
- The City is directed to respond to Plaintiff's conditions of confinement claim as it relates to the allegation that Defendants failed to decontaminate Plaintiff and his cell after the use of the fire extinguisher.

SO ORDERED.

DATED: New York, New York
 April 12, 2023



VALERIE FIGUEREDO
United States Magistrate Judge